

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

ORDER NO. 92-070

AMENDING ORDER NO. 91-117, SITE CLEANUP REQUIREMENTS FOR:

U.S.CELLULOSE AND
LOUIS J. AND SHIRLEY D. SMITH AND
HAZ/CONTROL

FOR THE PROPERTY LOCATED AT:

1545-1547 ALMADEN ROAD, SAN JOSE
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. On July 17, 1991, the Board adopted Order No. 91-117, Site Cleanup Requirements for the property at 1545-1547 Almaden Road in San Jose. The Order named only U.S. Cellulose and Louis J. Smith et ux as dischargers; the Order stated that if warranted, the Board would consider adding other parties' names to the Order. The Order was considered for adoption and adopted by the Board at the request of Louis J. Smith et ux. In adopting this Order the Board rescinded Board Order No. 90-036 (adopted 02-21-90) and as amended by Board Order No. 90-162 (adopted 12-12-90).
2. On March 12, 1992 the State Water Resources Control Board adopted its Order No. WQ 92-04 which responded to the Petitions For Review of the Regional Board's actions in adopting Board Orders 90-036 and 90-162. The Petitions were filed by U.S. Cellulose and Louis J. Smith et ux, and petitioned to have Pacific States Chemicals Inc. and Haz/Control named as dischargers.
3. The State Water Resources Control Board, based upon its review of the record, and as supplemented by the involved parties during the course of the review, found that:
 - a. Haz/Control should be named a discharger, and
 - b. Pacific States Chemicals should not be named a discharger.

4. The State Water Resources Control Board (State Board) has requested the Board to amend Board Order 91-117 to name Haz/Control a discharger, along with U.S. Cellulose and the Smiths.
5. The Board, in public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED pursuant to State Board Order WQ 92-04 that Haz/Control be added as a discharger to the Board's Site Cleanup Requirements (Order 91-117) for the property at 1545-1547 Almaden Road in San Jose.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 17, 1992.

A handwritten signature in dark ink, appearing to read 'Steven R. Ritchie', is written over a faint, circular embossed seal.

STEVEN R. RITCHIE
Executive Officer